

AMENDMENT NUMBER ONE (1)
TO A COOPERATION AGREEMENT BETWEEN THE COUNTY OF SAN LUIS OBISPO
AND THE CITY OF PISMO BEACH FOR JOINT PARTICIPATION IN THE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM, THE HOME INVESTMENT PARTNERSHIPS
PROGRAM, THE EMERGENCY SOLUTIONS GRANT PROGRAM, AND THE HOUSING
OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM
FOR FISCAL YEARS 2015 THROUGH 2017

THIS AGREEMENT is made and entered into this 2nd day of September, 2014 by and between the County of San Luis Obispo, a political subdivision of the State of California, hereinafter called "County"; and the City Pismo Beach, a municipal corporation of the State of California, located in the County of San Luis Obispo, hereinafter called "City"; jointly referred to as "Parties."

WITNESSETH

WHEREAS, in 1974, the U.S. Congress enacted and the President signed a law entitled, The Housing and Community Development Act of 1974, herein called the "Act". Said Act is omnibus legislation relating to federal involvement in a wide range of housing and community development activities and contains eight separate titles; and

WHEREAS, Title I of the Act is entitled "Community Development" and governs programs for housing and community development within metropolitan cities and urban counties or communities by providing financial assistance annually for area-wide plans and for housing, public services and public works programs; and

WHEREAS, the Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships (HOME) Program, the Emergency Solutions Grant (ESG) Program, and the Housing Opportunities for Persons with AIDS (HOPWA) Program are consolidated under Title I of the Act; and

WHEREAS, the County of San Luis Obispo has requested of the federal Department of Housing and Urban Development, hereinafter referred to as "HUD", that the County be designated as an "urban county"; and

WHEREAS, the County needs to prequalify as an urban county and will be eligible to receive CDBG funds provided that the County's entitled cities defer their entitlement to the County to enable both the County and the entitlement cities to jointly participate in the program; and

WHEREAS, the City desires to participate jointly with the County in said program; and

WHEREAS, on July 15, 2014, the County and City entered into a Cooperation Agreement (the Original Cooperation Agreement) in order for the County to prequalify as an urban county and submitted said cooperation agreement to the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD reviewed said Original Cooperation Agreement and determined that it must be amended to provide for a three year term and to include additional language required by the Transportation, Housing and Urban Development, and Related agencies Appropriations Act, 2014, Public Law 113-76.

NOW THEREFORE, in consideration of the mutual promises, recitals and other provisions hereof, the Parties agree as follows:

1. The section entitled "**SECTION IV. Use of Program Funds**" of the Original Cooperation Agreement is hereby amended to add a new section "I" that reads as follows:

A. The City may not sell, trade, or otherwise transfer all or any portion of CDBG funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Act.

B. All other provisions of the Original Cooperation Agreement not specifically amended herein remain in full force and effect.

NOW, THEREFORE, the Parties hereto have caused this Amendment Number One (1) to the Cooperation Agreement to be executed and attested by their proper officer thereunder duly authorized, and their official seals to be hereunto affixed, all as of the day first above written.

APPROVED AS TO FORM:

By: 
Deputy County Counsel

Date: 9/18/14

COUNTY OF SAN LUIS OBISPO

By: _____
Chairperson of the Board of Supervisors

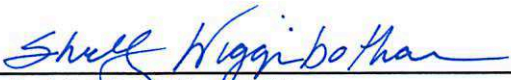
Date: _____

ATTEST:

Julie Rodewald, County Clerk

Date: _____

CITY OF PISMO BEACH



Shelly Higginbotham, Mayor

Date: 9/8/2014

ATTEST:



Elaina Cano, City Clerk CMC

Date: 9/8/14

APPROVED AS TO CONTENT:



James R. Lewis, City Manager

Date: 9-8-14

APPROVED AS TO FORM:



David Fleishman, City Attorney

Date: 2014.09.09